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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/309,372	05/11/1999	KENNETH M. LASSESEN	3797.77742	7410

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EXAMINER

NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 08/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/309,372

Applicant(s)

LASSESEN, KENNETH M.

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: Amendment filed 05/17/2005 to the original application filed 05/11/1999.
2. Claims 1-14 are currently pending in this application. Claims 1 and 6 have been amended. Claims 1, 6, and 14 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-14 remain rejected under 35 U.S.C. 103(a) as being unpatentable over **Heiny** (U.S. 5,778,356 – issued 07/1998).

As to independent claim 6:

- a. Heiny teaches a method of providing an electronic file to a user (*col. 8, lines 53-65*), comprising the steps of:
 - (i) assigning to at least one (*item 232 in Fig. 8B*) in the electronic file a plurality of identifiers (*items 233, 235, 237, 239 in Fig. 8B*), wherein each identifier corresponds to one of a plurality of respective translations (*items*

271, 272, 273, 274; col.11, lines 38-44 & col.12, lines 24-28 and Fig.10)

in the electronic file for the at least one word; and

(ii) at a receiving computer (*user; col.8, lines 53-65 and col.9, lines 36-41*):

- receiving the electronic file from a sending computer (*col.8, lines 53-65 and col.13, lines 45-50*);
- allowing the user to select a language in which at least a portion of the electronic file is to be displayed (*the language that a user has selected; col.9, lines 37-45/ col.10, lines 25-28/ he can select one language from a list of a available languages as the language; col.13, lines 54-57*);
- using an identifier (*item 233 in Fig.8B*) from the plurality of identifiers, wherein the identifier corresponds to the language (*English; Fig.8B*) selected by the user, to obtain, from the respective translations (*items 271, 272, 273, 274; col.11, lines 38-44 & col.12, lines 24-28 and Fig.10*) in the electronic file, a translation (*the first language handle 271 corresponds to the English; col.11, lines 40-46*), in the language selected by the user, for the at least one word; and
- displaying the translated electronic file to the user (*the display will be re-displayed in the new language that was selected by the user; col.9, lines 39-41*).

- b. Heiny does teach the translation (*items 271, 272, 273, 274; Fig.10*), the electronic file (*the knowledge base file 123; col.8, lines 53-55*), and a translated electronic file (*a file for displaying new language selected by the user; col.9, lines 37-41*), and the translations (*items 271, 272, 273, 274; col.11, lines 38-44 & col.12, lines 24-28 and Fig.10*). Heiny, however, does not specifically teach “inserting the translation.”
- c. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have applied Heiny’s teaching to include “inserting the translation” because it would have provided the capability for efficiently retrieving and displaying the document in the language selected by the user.
- d. The fact that Heiny’s teaching “*will be retrieved and displayed based upon the language handle 271, 272, 273 or 274 ... which corresponds to the language selected by the user*” (*col.12, lines 25-27*), and retrieving and displaying based upon the language handle in Heiny suggests inserting the translation.

As to dependent claim 7:

Heiny teaches the electronic file is an HTML document (*e.g., html; col.3, lines 9-14*).

As to dependent claim 8:

Heiny teaches the translation for said at least one word is stored in a data structure on a server (*client/server; col.4, lines 51-57*).

As to dependent claim 9:

Heiny teaches the data structure is an array (*array; col.14, lines 41-67*).

As to dependent claim 10:

Heiny teaches a Web browser displays the HTML document to the user (*browser application; col.3, lines 9-14*).

As to dependent claim 11:

Heiny teaches the translated HTML document is provided to the user via the Internet (*the internet; col.3, lines 9-14*).

As to dependent claim 12:

Heiny teaches a plurality of words in the HTML document are assigned a plurality of identifiers (*"English," "German" and "Greek" in Fig.8B*).

As to dependent claim 13:

Heiny teaches a plurality of phrases in the HTML document are assigned a plurality of identifiers that correspond to said translation (*the character string corresponding to the native expression of the name of each language in its own language will be retrieved from each language object's language name list. Thus, if the languages of English, German and Spanish were available, the user would be presented with the choice to select: "English," "Deutsch," or "Espanol."; col.13, line 58- col.14, line 2*).

As to independent claim 14:

The rejection of independent claim 6 above is incorporated herein in full. Additionally, Heiny further teaches:

- (i) the plurality of words (*items 232, 234, 236, 238 in Fig.8A*);
- (ii) receiving the document from a sending computer (*col.8, lines 53-65 and col.13, lines 45-50*); and

- (iii) replacing the plurality of words in the document (*col.9, lines 37-41 & col.14, lines 3-10*).

5. Claims 1-5 remain rejected under 35 U.S.C. 103(a) as being unpatentable over **Heiny** in view of **Mullaney** (U.S. 5,917,484 – issued 06/1999).

As to independent claim 1:

- a. It is directed to a computer-readable medium for implementing the method of claim 6 above, and is similarly rejected in the same rationale. Additionally, Heiny further teaches at the user's computer, selecting, for display to the user, a second plurality of phrases that are expressed in the language selected by the user (*col.13, lines 54-67 and col.14, lines 3-11*).
- b. Heiny, however, does not specifically teach “*a first plurality of phrases, wherein each phrase of the first plurality of phrases is expressed in a plurality of languages and has a unique meaning regardless of the language in which each phrase is expressed.*”
- c. Mullaney teaches a first plurality of phrases, wherein each phrase of the first plurality of phrases is expressed in a plurality of languages (*402; fig.4*) and has a unique meaning regardless of the language in which each phrase is expressed (; *the instruction “select your language” 402 appears in each available language selection; col.4, lines 18-45 and fig.4*).

- d. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Mullaney in the system of Heiny because it would have allowed computer users in different languages to make an appropriate selection for retrieving and displaying their desired language.

As to dependent claim 2:

Heiny teaches the electronic file is received at the use's computer via the Internet (*e.g., Internet; col.3, lines 9-14*).

As to dependent claim 3:

Heiny teaches the electronic file is an HTML document (*e.g., html; col.3, lines 9-14*).

As to dependent claim 4:

Heiny teaches a Web browser displays the HTML document to the user (*e.g., browser application; col.3, lines 9-14*).

As to dependent claim 5:

Heiny teaches the Web browser translates at least a portion of the HTML document into the language selected by the user (*e.g., A pull down menu may be accessed to select any one of the available languages, and the display will be updated so that everything on the display will be changed to the new selected language; col.14, lines 3-35*).

Response to Arguments

6. Applicant's arguments filed 05/17/2005 have been fully considered but they are not persuasive.

Applicant argues that Heiny and Mullaney, either alone or in combination, do not disclose receiving an electronic file at the user's computer, wherein the electronic file's content includes a first plurality of phrases, where each phrase of the first plurality of phrase is expressed in a plurality of languages and has a unique meaning regardless of the language in which the each phrase is expressed. (Remarks, page 6, 1st full para.)

In response, the combination of Heiny and Mullaney teaches "receiving an electronic file at the user's computer" (**Heiny**; col.8, lines 53-65 and col.13, lines 45-50), "wherein the electronic file's content includes a first plurality of phrases, where each phrase of the first plurality of phrase is expressed in a plurality of languages" (**Mullaney**; item 402, Fig.4) and "has a unique meaning regardless of the language in which the each phrase is expressed" (**Mullaney**; the instruction "select your language" 402 appears in each available language selection; col.4, lines 18-45 and fig.4).

Applicant argues that Heiny and Mullaney fail to teach or suggest: (1) receiving electronic file at the user's computer, wherein the electronic file's content includes a first plurality of phrases, where each phrase of the first plurality of phrase is expressed in a plurality of languages and has a unique meaning regardless of the language in which the each phrase is expressed; and (2) at the user's computer, selecting, for display to the user, from the first plurality of phrases, a second plurality of phrases that are expressed in the language selected by the user, as cited in claim 1. (Remarks, page 8, 1st full para.)

In response, Applicant simply points out what is broadly recited in claim 1 and asserts that the references do not meet the claimed limitations. Reciting the claim language is the extent of explanation provided by Applicant in support of the dependent claims. This response by Applicant is insufficient to satisfy the requirement of specific argument to have the claims considered for patentability; in accordance with 37 C.F.R. § 1.111 Applicant must distinctly and specifically point out "how the language of the claims patentably distinguishes them from the references". Accordingly, a prima facie case of obviousness is maintained as set forth in the rejections above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Barnes et al. U.S. Patent No. 5,974,372 issued: Oct. 26, 1999

Amro et al. U.S. Patent No. 6,324,500 issued: Nov. 27, 2001

Atkin et al. U.S. Patent No. 6,492,995 issued: Dec. 10, 2002

Hetherington et al. U.S. Patent No. 6,334,101 issued: Dec. 25, 2001

Emmanuel Uren, "Annotated Bibliography on Internationalization and Localization",
ACM SIGDOC Asterisk Journal of Computer Documentation, Volume 21, Issue 1,
Feb. 1997, pp. 26 - 33.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093.

The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2176

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MN

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
8/2/2005